

Attorney Docket No. 5077-000081

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of: Hiroyuki Matsuo et al.  
Application No.: 10/057,279  
Filed: January 25, 2002  
For: Ink Jet Head, Actuator Testing Method,  
Method of Manufacturing Ink Jet Head,  
And Ink Jet Recording Apparatus

Group No.: 2861  
Examiner: Lamson D. Nguyen  
Date of mailing "Notice of Allowance and  
Base Issue Fee Due": 6/23/04 and 3/8/05

**Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 22313-1450**

**PETITION FOR WITHDRAWAL FROM ISSUE FOR CONSIDERATION OF A  
REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.313(C)(2))**

1. **Petition:**  
Applicant petitions that the above-identified application be withdrawn from issue.
2. **Patent Issue Fee:**  
The issue fee was paid on August 23, 2004. A Issue Notification has not been received to date.
3. **Reason For Withdrawal Request:**  
The reason for withdrawal from issuance is for consideration by way of a request for continued examination of art cited in an office action for a related divisional application. This art was first cited in the divisional application on March 18, 2005.
4. **Filing Of Request for Continued Prosecution**  
A request for continued prosecution of this application accompanies this petition. A copy of the IDS, Form 1449 and transmittal are filed herewith as the requisite submission under 37 CFR 1.114.
5. **Petition fee (37 CFR § 1.17(h)):**  
The Commissioner is hereby authorized to charge the petition fee of \$130.00 and any additional fees which may be required to Deposit Account No. 07-0960. A duplicate of this petition is attached.

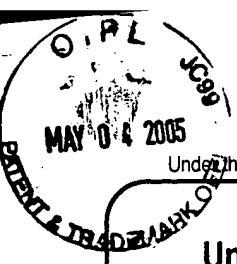
Date: May 4, 2005

David A. McClaughry, Reg. No. 37,885  
Harness, Dickey & Pierce P.L.C.  
P.O. Box 828  
Bloomfield Hills, MI 48303  
248-641-1600

05/06/2005 JBALINAN 00000086 10057279

02 FC:1464

130.00 DP



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/057,279
Filing Date	January 25, 2002
First Named Inventor	Hiroynki Matsuo et al.
Art Unit	2861
Examiner Name	Lamson D. Nguyen
Attorney Docket Number	5077-000081

Enclosed is a paper filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed/authorized.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, (e.g., Mail Stop Petition), if applicable. For transmittal of petition fees under 37 CFR 1.17(i) see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 08-0750 :  
☐ processing fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

- ☒ Check in the amount of \$ 920.00 is enclosed.

- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

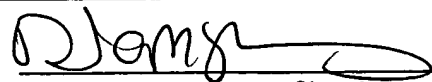
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.



Signature

David A. McClaughry

Typed or printed name

May 4, 2005

Date

37,885

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.